

BEFORE THE DIRECTOR  
OF THE  
OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14TH STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	}	DATE: July 17, 2007
	}	
Kirk Adair	}	DOCKET NO: 07C- 027
5909 Clay Street, NE #304	}	HEARING OFFICER: William O. SanFord
Washington, DC 20019	}	

**ORDER**

**Statement of the Case**

This matter comes before the Office of Campaign Finance (OCF) upon an inquiry conducted by the Office of Campaign Finance which determined that Kirk Adair failed to timely file on or before April 30, 2007, an Exemption Report for total expenses under \$500 (\$500 Exemption Report), pursuant to D.C. Official Code §1-1102.09 (2001 Edition).

By Notice of Hearing, Statement of Violations and Order of Appearance dated June 25, 2007, OCF ordered Kirk Adair (hereinafter respondent) to appear at a scheduled hearing on July 5, 2007 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq. (Act) and fined accordingly.

On July 5, 2007, Wesley Williams, OCF Public Affairs Specialist, provided testimony on the record in lieu of a scheduled hearing.

**Summary of Evidence**

OCF has alleged that Kirk Adair failed to timely file the statutorily required \$500 Exemption Report by April 30, 2007. Mr. Williams stated that during a telephone discussion on June 21, 2007, the respondent informed him that he exceeded the \$500 expense limit. Consequently, the respondent filed a Statement of Organization with OCF which placed him in a different filing status. Mr. Williams also stated that a review of OCF records confirmed that the respondent changed his filing status as he had indicated. Mr. Williams recommended that no sanction be imposed against the respondent.

**Findings of Fact**

Having reviewed the allegations and OCF records, I find:

1. Respondent was required to file a \$500 Exemption Report with OCF on or before April 30, 2007, based upon his initial registration with OCF.
2. Respondent did not timely file a \$500 Exemption Report with OCF.
3. Respondent exceeded the \$500 expense limit and filed a Statement of Organization which placed him in a different filing status.
4. Respondent was no longer required to file a \$500 Exemption Report with OCF on April 30, 2007.

**Conclusion of Law**

Based upon the record and evidence, I therefore conclude:

1. The respondent did not violate D.C. Official Code §1-1102.09.
2. Because no violation occurred, no penalty shall be imposed against the respondent.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director dismiss this matter.

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**Date**

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**William O. SanFord  
Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

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**Date**

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**Kathy S. Williams  
General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that this matter is hereby dismissed.

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**Date**

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**Cecily E. Collier-Montgomery  
Director**

This Order may be appealed to the Board of Elections and Ethics within 15 days from the date of issuance.

NOTICE

Pursuant to 3 DCMR § 3711.5 (March 2007), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000 14<sup>th</sup> Street, NW, Washington, D.C. 20009.

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

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April Williams

